IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO.450 OF 2004

In the matter of Section 9 of the Arbitration & Conciliation Act, 1996 ;

Vallamji Nagji Dharshi Dedhia ....Petitioner

V/s.

Ratanshi S. Chheda-HUF ....Respondent

Mr.M.N. Kenia i/b Mrs.Harita Gala Shah for the Petitioner.

Mr.S.K. Jain i/b P. Vakil for the Respondent.

CORAM : S.J. VAZIFDAR, J.
DATED : 1ST NOVEMBER, 2004.

P.C. :

1. This is a Petition under Section 9 of the Arbitration and Conciliation Act, 1996. The dispute is in respect of the partnership in which admittedly the Petitioner has a 32% share and the Respondent has 68% share. The partnership is at will. The protection is sought in respect of four shop premises.

2. Mr.Jain, the learned counsel appearing on behalf of the Respondent states that one M/s.Hi Tech Blood Transfusion and Allied Services are in possession of the said premises under a leave and licence agreement the first of which is dated 21st January, 1996. Under the present leave and licence agreement dated 25th November, 2003 the same will expire on 18th June, 2006.

3. In fact pursuant to the disputes between the partners of the said licensee, the Court Receiver has already been appointed in respect of the said premises by this Court.

4. In the circumstances, the following order is passed :-

i). Pending the hearing and final disposal of the Arbitration Petition and any award that may be passed therein, the parties are directed to maintain status-quo in respect of the premises mentioned in prayer (a) to the Petition.

ii). In the event of either of the parties receiving any amount from the said licensee,

they shall within one week deposit the same in this Court.

iii). In the event of the Court Receiver appointed in the disputes between the partners of the licensee being discharged, liberty to the parties to apply.

5. The Petition is accordingly disposed of.

. Certified copy expedited.

. Parties to act on an ordinary copy of this order duly authenticated by the Chamber Registrar/Court Stenographer of this Court.